

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

DANIEL FRAZEE,

Plaintiff

v.

C-1-06-811

COMMISSIONER OF  
SOCIAL SECURITY,

Defendant

**ORDER**

This matter is before the Court upon the Report and Recommendation of the United States Magistrate (doc. no. 26) granting plaintiff's Application for Fees and Expenses Pursuant to the Equal Access to Justice Act ("EAJA") (doc. no. 20). There have been no objections to the Report and Recommendation.

Upon a *de novo* review of the record, the Court finds that the Magistrate Judge has accurately set forth the controlling principles of law and properly applied them to the particular facts of this case and agrees with the recommendation of the Magistrate Judge.

Accordingly, the Court hereby **ADOPTS AND INCORPORATES** **HEREIN BY REFERENCE** the Report and Recommendation of the United States Magistrate Judge (doc. no. 26). Plaintiff's Application for Fees and Expenses Pursuant to the Equal Access to Justice Act (doc. no. 20) is **GRANTED**. The defendant shall pay plaintiff the amount of \$3,432.66 in attorney fees and \$350.00 in costs for a total award of \$3,782.66 which will satisfy all of plaintiff's claims for fees, costs and expenses under the EAJA, 28 U.S.C. § 2412.

**IT IS SO ORDERED.**

s/Herman J. Weber  
Herman J. Weber, Senior Judge  
United States District Court